



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2022

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

CRP (PD).No.3603 of 2022

and

C.M.P.No.19111 of 2022

A.Jayakanth Singh

... Petitioner

Vs.

1.P.Palanivel

2.P.Sakthivel

.... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the impugned order dated 12.08.2022 in I.A.No.32 of 2020 in O.S.No.48 of 2019 on the file of the Additional Subordinate Judge, Virudhachalam.

For Petitioner : Mr.D.Bharathy

ORDER

This Civil Revision Petition is filed challenging the order of dismissal passed by the court below dismissing the petition filed by the revision petitioner seeking to reject the plaint.



2. The respondents herein filed a suit for recovery of damages against the petitioner for the alleged act of defamation committed by the petitioner. As per the plaint averments, the petitioner defamed the respondents by issuing the pamphlets and other objectionable news item in various medias.

3. In the affidavit filed in support of rejecting the plaint, the revision petitioner has stated that the pamphlets were issued by him without any motive or intention of defaming the respondents. Whether the pamphlets were issued by the petitioner with an intention to defame the respondents or not is a disputed question of fact which can be determined only in a full fledged trial. Therefore, in view of the averments made by the petitioner in their own affidavit, I do not find that the petitioner has made out any case for rejection of the plaint.

4. Finding no error or illegality in the order passed by the court below, I am not inclined to interfere with the impugned order. Therefore, this Civil Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

5. The learned counsel for the petitioner made a request for early



disposal of the suit. The suit is of the year 2019. It is stated that the petitioner had already filed his written statement as early as on 14.10.2019.

In view of the same, this court is inclined to issue a direction to the court below to dispose of the suit within a period of nine months from the date of receipt of a copy of this order.

10.11.2022

Index : Yes/No

Internet : Yes/No

gv

To

The Additional Subordinate Judge,

Virudhachalam.



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S.SOUNTHAR.,J.

Gv

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